

REMARKS

Applicant has amended claims 1, 49-52, 64, and 101-104. The amendments to the claims add no new matter. The amendments to the claims are made without prejudice and solely to advance prosecution of the application. Applicant reserves the right to pursue additional claims at a later stage.

Applicant notes that no agreement was reached at the telephonic interview conducted on April 11, 2006. Applicant thanks the Examiner for the interview and for a constructive discussion. Notwithstanding the lack of agreement on the teachings of cited art, Applicant has amended claims 1, 49-52, 64, and 101-104 without prejudice and solely to advance prosecution of the application.

Claim Rejections - 35 USC § 103

In the Final Office Action, the Examiner rejected claims 1-5, 8-9, 13-17, 19, 26-28, 30, 35-39, 40- 47, 49-54, 58-60, 64-69, 71, 78-80, 82, 87-91, 92-99, 101-106, and 110-112 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,529,985 B1 to Deianov et. al. ("Deianov") in view of U.S. Patent Publication 2004/-210771 A1 to Wood et. al.

Claims 6-7 and 10-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of Admitted Prior Art ("APA").

Claims 20-23, 31-32, 55, 72-75, 83-84, and 107 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of U.S. Patent 6,587,888 81 to Chieu et al. ("Chieu").

Claims 18, 29, 61, 70, 81, and 113 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood, further in view of Chieu, and further in view of U.S. Patent 5,764,985 to Smale ("Smale").

Claims 24-25, 56-57, 76-77, and 108-109 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of U.S. Patent 5,537,548 to Fin et al ("Fin").

Claims 33-34, 62, 85-86, and 114 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of Smale.

By this amendment, Applicant respectfully requests the Office to enter the following amendments and consider the following remarks. As noted above, the claims have been amended without prejudice and solely to advance prosecution of the application. Claims 1, 49-52, 64, 101-104 have been amended. As a result, Claims 1-47, 49-62, 64-99, and 101-114 are now pending in this application. The amendments to the claims add no new matter.

With respect to claim 1, neither Deianov nor Wood, alone or in combination teach at least the steps of:

- evaluating the service request based on one or more of a present software system state, a past software system state, at least one dynamically alterable condition dependent rule, and an original or modified data in the service request; ...

- dynamically selecting a desired behavior from among several behaviors for the software component based on the evaluation; and

- dynamically controlling the software component such that the software component executes the desired behavior

as recited in amended claim 1.

Claims 2-47 depend from claim 1 and are therefore allowable for at least the same reasons as is claim 1.

In contrast to the teachings in Deianov and Wood either alone or in combination, amended claims 49, 50, 51, 52, 64, 101, 102, 103, and 104 also recite in relevant part,

evaluating the service request based on one or more of a present software system state, a past software system state, at least one dynamically alterable condition dependent rule, and an original or modified data in the service request; ...

...dynamically selecting a desired behavior from among several behaviors for the software component based on the evaluation; ...

...dynamically controlling the software component such that the software component executes the desired behavior.

Therefore, claims 49, 50, 51, 52, 64, 101, 102, 103, and 104, as amended are also allowable.

Claims 53-62 depend from claim 52 and are allowable for at least the same reasons as is claim 52.

Claims 65-99 depend from claim 64 and are allowable for at least the same reasons as is claim 64.

Claims 105–114 depend from claim 104 and are allowable for at least the same reasons as is claim 104.

In view of the foregoing, Applicant respectfully submits that claims 1-47, 49-62, 64-99, and 101–114 are allowable and pending in the application.

CONCLUSION

Applicant respectfully requests that this Amendment be entered by the Examiner, placing all pending claims in condition for allowance. Applicant submits that the amendments of the claims do not raise new issues or necessitate the undertaking of

any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

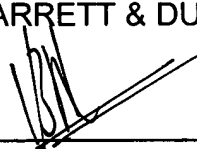
In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and continued examination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 9, 2006

By: 

Venk Krishnamoorthy, Ph.D.
Reg. No. 52,490

Finnegan Henderson Farabow
Garrett & Dunner L.L.P.
901 New York Ave., N.W.
Washington, D.C. 20001
(202) 408-4000